



PORTER WRIGHT MORRIS & ARTHUR LLP  
Attorneys & Counselors at Law

Richard M. Mescher  
614-227-2026  
rmescher@porterwright.com

41 South High Street  
Columbus, Ohio 43215-6194

Facsimile 614-227-2100  
Toll Free 800-533-2794

July 21, 2004

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Application No.: 10/784,139  
Inventors D. Peter Beirne, Jr. et al.  
Filed: February 20, 2004  
For: PROTECTION DEVICE FOR ROOF AND FLOOR OPENINGS  
Attorney Docket No.: 3759600-144128

Dear Sir:

In response to the Notice to File Missing Parts of Nonprovisional Application (Filing Date Granted) dated May 19, 2004, enclosed are:

- (1) Response;
- (2) Copy of the Notice to File Missing Parts of Nonprovisional Application;
- (3) Petition for a One-Month Extension of Time;
- (4) Declaration signed by the inventors;
- (5) Check No. 6553 in the amount of \$120 (\$65 for the small entity surcharge and \$55 for the small entity one month extension of time fee) and Authorization to Charge Deposit Account (in duplicate) for any deficiencies; and
- (6) Certificate of Filing by Mail.

We also have enclosed our postcard receipt, which we ask that you acknowledge and return to us.

Very truly yours,

Richard M. Mescher

Enclosures



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Application No.: 10/784,139  
Inventors: D. Peter Beirne, Jr. et al.  
Filed: February 20, 2004  
For: PROTECTION DEVICE FOR ROOF AND FLOOR OPENINGS  
Attorney Docket No.: 3759600-144128

Mail Stop Missing Parts  
The Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**RESPONSE TO OFFICIAL COMMUNICATION**

In response to the Notice To File Missing Parts of Nonprovisional Application (Filing Date Granted) mailed May 19, 2004, applicants enclose a Petition for a One-Month Extension of Time from July 19, 2004 to August 19, 2004 to respond to the Notice dated May 19, 2004, a Declaration signed by the inventors, check No. 6553 for \$120 (\$65 for the small entity surcharge and \$55 for the small entity extension of time fee) and Authorization Re Deposit Account (in duplicate) in payment of any deficiencies.

Applicant respectfully submits that the filing of the Petition for One-Month Extension of Time, the signed declaration and payment of the surcharge satisfy the remaining filing requirements relating to this application. Applicant therefore requests that this application proceed to examination.

Respectfully submitted,

Dated: July 21, 2004

By:

Richard M. Mescher  
Reg. No. 38,242  
PORTER, WRIGHT, MORRIS & ARTHUR LLP  
41 South High Street  
Columbus, Ohio 43215-6194  
Phone: (614) 227-2026



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Inventors: D. Peter Beirne, Jr. et al.

For: PROTECTION DEVICE FOR ROOF AND FLOOR OPENINGS

Application No.: 10/784,139

Filed: February 20, 2004

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

AUTHORIZATION RE DEPOSIT ACCOUNT

Sir:

Please charge any deficiency in the small entity fees for the above-referenced application to our Deposit Account No. 16-2326.

A duplicate copy of this paper is provided.

Respectfully submitted,

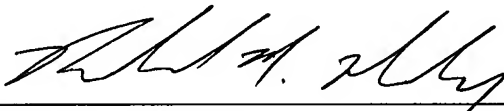
Dated: July 21, 2004

By:

Richard M. Mescher  
Porter, Wright, Morris & Arthur, LLP  
41 South High Street  
Columbus, OH 43215  
(614) 227-2026

**CERTIFICATE OF FILING BY MAIL**

I certify that this Response which is filed in response to the Notice to File Missing Parts of Nonprovisional Application (Filing Date Granted) dated May 19, 2004, copy of the Notice to File Missing Parts of Nonprovisional Application (Filing Date Granted), Petition for a One-Month Extension of Time, Declaration signed by the inventors, Check No. 6553 in the amount of \$120 and Authorization to Charge Deposit Account (in duplicate) are being deposited with the United States Postal Service in an envelope addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, as first class mail, postage prepaid, on this 21<sup>st</sup> day of July, 2004.

A handwritten signature in black ink, appearing to read 'R. M. Mescher', is written over a horizontal line.

Richard M. Mescher  
PORTER, WRIGHT, MORRIS & ARTHUR LLP  
41 South High Street  
Columbus, Ohio 43215-6194

Re: Application No. 10/723,694



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/784,139	02/20/2004	Peter Beirne	3759600-144128

Porter, Wright, Morris & Arthur LLP  
ATTN: Intellectual Property Department  
28th Floor  
41 South High Street  
Columbus, OH 43215-6194



CONFIRMATION NO. 5359

## FORMALITIES LETTER



\*OC00000012712691\*

Date Mailed: 05/19/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is **\$65** for a Small Entity

- **\$65** Late oath or declaration Surcharge.


Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

07/27/2004 DTESSEM1 00000054 10784139

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65.00 OP

*A copy of this notice **MUST** be returned with the reply.*

A handwritten signature in black ink, appearing to read "M. Michael", is written over a horizontal line.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 1 - ATTORNEY/APPLICANT COPY